

Part 2 Waters

76-10-201 Interference with water flow.

Every person who knowingly or intentionally interferes with or alters the flow of water in any stream, ditch, or lateral while under the control or management of any water commissioner is guilty of a crime punishable under Section 73-2-27.

Amended by Chapter 215, 2005 General Session

76-10-202 Taking water out of turn or excess amount -- Damaging facilities.

- (1) No person may, in violation of any right of any other person knowingly or intentionally:
 - (a) turn or use the water, or any part thereof, of any canal, ditch, pipeline, or reservoir, except at a time when the use of the water has been duly distributed to the person;
 - (b) use any greater quantity of the water than has been duly distributed to him;
 - (c) in any way change the flow of water when lawfully distributed for irrigation or other useful purposes, except when duly authorized to make the change; or
 - (d) break or injure any dam, canal, pipeline, watergate, ditch, or other means of diverting or conveying water for irrigation or other useful purposes.
- (2) Subsection (1) applies to violations of any right to the use of water, including:
 - (a) a water right; or
 - (b) authorization of a person's use of water by:
 - (i) a water company, as defined in Subsection 73-3-3.5(1)(b); or
 - (ii) an entity having a valid water right under Utah law.
- (3) Any person who violates this section is guilty of a crime punishable under Section 73-2-27.

Amended by Chapter 215, 2005 General Session

76-10-203 Obstruction of watergates.

Every person who rafts or floats logs, timber, or wood down any river or stream and allows the logs, timber, or wood to accumulate at or obstruct the watergates owned by any person or irrigation company taking or diverting the water of the river or stream for irrigation or manufacturing purposes is guilty of a crime punishable under Section 73-2-27.

Amended by Chapter 215, 2005 General Session

76-10-204 Damaging bridge, dam, canal or other water-related structure.

- (1) A person is guilty of a third degree felony who intentionally, knowingly, or recklessly commits an offense under Subsection (2) that does not amount to a violation of Subsection 76-6-106(2)(b)(ii).
- (2) Offenses referred to in Subsection (1) are when a person:
 - (a) cuts, breaks, damages, or destroys any bridge, dam, canal, flume, aqueduct, levee, embankment, reservoir, or other structure erected to create hydraulic power, to drain or reclaim any swamp and overflowed or marsh land, to conduct water for mining, manufacturing, reclamation, or agricultural purposes, or for the supply of the inhabitants of any city or town;

- (b) makes or causes to be made any aperture in any dam, canal, flume, aqueduct, reservoir, embankment, levee, or structure with intent to injure or destroy it; or
- (c) draws up, cuts, or injures any piles fixed in the ground and used for securing any lake or river bank or walls or any dock, quay, jetty, or lock.

Amended by Chapter 166, 2002 General Session